

# Exhibit 2

*United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.*  
*v. Dey, Inc., et al.*, Civil Action No. 05-11084-PBS

**Exhibit to the March 10, 2010 Declaration of Sarah L. Reid in Support of Dey  
Defendants' Response to Plaintiffs' Motion Concerning The Use of Depositions**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

- - - - - ) MDL No. 1456  
IN RE: PHARMACEUTICAL INDUSTRY ) Master File No.  
AVERAGE WHOLESALE PRICE LITIGATION) 01-12257-PBS  
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THIS DOCUMENT RELATES TO: ) Hon. Patti B.  
United States of America ex rel. ) Saris  
Ven-A-Care of the Florida Keys, )  
Inc, et al. v. Dey, Inc., et al., )  
Civil Action No. 05-11084-PBS )  
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VIDEOTAPED DEPOSITION OF ROBERT PAUL REID

Monday, December 15, 2008

9:59 o'clock a.m.

Jones Day

325 John H. McConnell Boulevard

Suite 600

Columbus, Ohio 43215

SHAYNA M. GRIFFIN

REGISTERED PROFESSIONAL REPORTER

1 Q. Prior to today, have you spoken with  
2 anyone from the United States, either  
3 representing the Department of Justice, CMS or  
4 OIG in connection with drug pricing litigation?

5 A. Just Bunker.

6 Q. Okay. And when did you have  
7 communication with Mr. Henderson?

8 A. It's my recollection it was maybe in  
9 August of this year.

10 Q. And was that a phone call or was that  
11 a face-to-face meeting?

12 A. Face-to-face.

13 Q. Was that here in Columbus?

14 A. Here in Columbus.

15 Q. How long was that meeting?

16 A. How long was the meeting?

17 Q. Yes, sir.

18 A. Maybe an hour.

19 Q. What did you discuss with Mr.  
20 Henderson?

21 MS. GEOPPINGER: I'm going to object --  
22 I'm going to object on the basis of

1 attorney/client privilege, and again instruct you  
2 not to answer to the extent that there is -- it  
3 would reveal any of the contents of the  
4 discussion.

5 MR. HENDERSON: And I'll join in the  
6 objections on the grounds of a joint privilege at  
7 that time. That was before the United States had  
8 decided to drop any claims respecting Ohio, and  
9 we were operating under a common interest  
10 privilege.

11 MR. TORBORG: Is that -- is there a  
12 common interest agreement in writing with Ohio?

13 MR. HENDERSON: I don't know.

14 MR. TORBORG: And I'm not going to  
15 fight you about it on the record. I just want to  
16 establish the record. What is the common  
17 interest with Ohio?

18 MR. HENDERSON: At the time we were  
19 both engaged in litigation against one or more of  
20 the defendants, and we were coordinating our  
21 strategies and working out our common interest by  
22 either written or oral agreement of counsel.